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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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| PUBLIC MEETING MINUTES: | REAL ESTATE APPRAISERS SUBCOMMITTEE |
| MEETING DATE AND TIME: | Tuesday, June 8, 2010 at 1:00 p.m. |
| PLACE: | 861 Silver Lake Boulevard, Dover, Delaware Conference Room B, 2nd Floor of the Cannon Building |
| MINUTES APPROVED: | August 31, 2010 |

MEMBERS PRESENT

William Diveley
Stephen Huston
Gary Parker

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Nicole Williams, Administrative Specialist II

MEMBERS ABSENT

None.

OTHERS PRESENT

Phillip McGinnis
Lou Cox
Cheryl Russell

CALL TO ORDER

Mr. Huston called the meeting to order at 1:10 p.m. The Council did not review the May minutes. Ms. Williams will place this on the agenda for the July meeting.

STRATEGIC PLANNING

Assessors Statute and Regulations – Adoption of PA's Regulations

Mr. Parker advised that he has extensively reviewed PA's regulations regarding assessors and has advised that the Subcommittee adopt PA's regulations and take back to the Council to vote on adopting their regulations and subchapter with the exception that PA did not address mass appraisal.

Mr. McGinnis entered the meeting at 1:12 pm.

Mr. Huston briefed Mr. McGinnis on where the members were at this point in the meeting.

Mr. Parker advised that Mr. McGinnis had provided him with some background information regarding the assessors issue when it originated in the statute some years ago. Mr. McGinnis advised of Massachusetts regulations regarding assessors.

Mr. Parker inquired if Mr. McGinnis would provide the subcommittee a brief overview of the background to the assessor's statute and how the Council came to need to establish such regulations for assessors.

Mr. Huston opened the meeting up to public comment.

Public Comment

Mr. McGinnis addressed the Subcommittee members and advised that the issue came to forefront due to an assessor applicant who had applied many years back for certified general and Mr. McGinnis was the reviewer for the application. Since the applicant did not meet certification standards due to being an assessor Mr. McGinnis was asked to look into establishing regulations for licensing/certifying assessors. Mr. McGinnis contact the federal government and was advised to look into Massachusetts's regulations for assessors. The Council had a meeting and proposed to adopt MA's regulations for assessors. The statute was changed to require the Council to establish regulations and that assessors had a defined time period to obtain certification from the date that the Council adopted the regulations.

Mr. Cox advised that in the counties the assessors are not currently regularly assessing as each county assesses differently based upon market values. Mr. Cox advised that he and Ms. Russell both agree with the development of mass appraisal as they have conducted great research about mass appraisal.

Mr. Diveley advised that the Council is currently only trying to license or certify assessors at this point and not trying to develop mass appraisal.

Ms. Russell advised that the concern is that these licensees will not use the assessor license/certification for the purpose for which it is intended.

Mr. McGinnis advised that mass appraisal is not his main concern, but rather evaluation. He advised that training for mass appraisal is acceptable but there are 57 municipalities that need to be trained on evaluation, specifically highest and best use. Mr. McGinnis advised that MA rules was advertised and posted but then the senate bill was tabled and nothing further developed from that bill.

The Subcommittee, with input from the public, further discussed.

Mr. McGinnis inquired if the Appraisal Qualification Board (AQB) had any guidance on this issue. Mr. Parker advised that the only guidance found was from Standard 6 of the Universal Standards of Professional Appraisal Practice (USPAP).

Mr. McGinnis advised that the education requirements for assessors still have to comply with the AQB.

Mr. Cox advised that some of the activities required in Standard 6 would not apply to any of the counties and that assessors comply with the Jurisdictional Exception ruled in USPAP.

The Subcommittee, with input from the public, further discussed assessor standards and mass appraisal.

Mr. Parker advised that he recommends to adopt PA's regulations with some modifications and to incorporate Massachusetts's language for mass appraisal.

Mr. Parker advised to have a look at Maryland's regulations as well for next meeting. Ms. Williams will electronically send PA's, MD's, and MA's regulations for the prior review.

Next Scheduled Meeting

The next scheduled Subcommittee meeting is tentatively scheduled for July 13, 2010 at 1:00 p.m. Mr. Huston advised Ms. Williams to have Ms. Murphy attend that meeting if her schedule permits.

Adjournment

There being no further business, Mr. Diveley made a motion, seconded by Mr. Huston, to adjourn the meeting at 2:05 p.m. The motion was unanimously carried.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nicole M. Williams".

Nicole M. Williams
Administrative Specialist II